UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,886	06/28/2001	Mikio Aoki	109952	3026

25944	7590	08/26/2004

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EXAMINER
WON, MICHAEL YOUNG

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/892,886	AOKI ET AL.
	Examiner	**Art Unit**	
	Michael Y Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 June 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _7/18/2001_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-16 have been examined.

2.   This action is responsive to the Supplemental Preliminary Amendment filed

March 6, 2002.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Boswell (US 5,559,933 A) in view of Stewart et al. (US 6,259,405 B1).

INDEPENDENT:

As per claims 1 and 9, Boswell teaches of a data output controller that is

communicably connected, via a network, to a terminal that is possessed by a user and

that issues a data print (output) request, and a plurality of output terminals that is

distributed and installed at various locations to print (output) data, receives a data print

(output) request from the portable terminal, and outputs data regarding the data print

(output) request to the output terminals (see abstract), the data output controller

comprising: a storage device (see col.5, lines 4-8) that stores output terminal

information regarding the output terminals for each of the output terminals (see Fig.19;

col.8, lines 41-43; and col.22, lines 29-30); a selecting device that selects one of the

plurality of output terminals (see col.4, lines 29-33); and an output device that outputs

the data regarding the data print (output) request to the output terminal selected by

the selecting device (see col.4, lines 50-57), the data print (output) request including

search data necessary for the selecting device to select the output terminal (see col.4,

lines 61-64), and the selecting device retrieving output terminal information from the

storage device on the basis of the search data contained in the data print (output)

request so as to select an output terminal considered to be the best suited for the user

of the terminal to receive provided output data (see col.5, lines 4-12).

Boswell does not explicitly teach that the user terminal is a portable terminal.

Stewart teaches of a portable user terminal (see abstract and Fig.1, #110). It would

have been obvious to a person of ordinary skill in the art at the time the invention was

made to employ the teachings of Stewart within the system of Boswell by implementing

portable client terminals attached to the data output controller because wireless

networking devices (i.e. global positioning systems, personal data assistants,

notebooks) have become more readily available (see Stewart: col.1, lines 28-33) and

with higher demand for such products and increased communication protocols and

capabilities, such an implementation increases scalability and functionality.

DEPENDENT:

As per claims 2 and 10, Although Boswell teaches of further comprising: the

output terminal information including data on an output terminal position to determine

the location where the output terminal is installed (see col.7, lines 11-13 and 42-46),

the search data including data (see claim 1 and 9 rejections above), he does not

explicitly teach of a portable terminal position to determine the position of the portable

terminal, and the selecting device retrieving output terminal position data from the

storage device on the basis of data on a terminal position contained in the search data,

to thereby select an output terminal considered to be the closest distance-wise or time-

wise, taking the position of the portable terminal as a reference. Stewart teaches of a

portable terminal position to determine the position of the portable terminal, and the

selecting device retrieving output terminal position data from the storage device on the

basis of data on a terminal position contained in the search data, to thereby select an

output terminal considered to be the closest distance-wise or time-wise, taking the

position of the portable terminal as a reference (see col.3, lines 58-60 and col.3, line 65

to col.4, line 6). It would have been obvious to a person of ordinary skill in the art at

the time the invention was made to employ the teachings of Stewart within the system

of Boswell by implementing determining the position of the portable terminal, and

selecting the closest output terminal within the data output controller because Stewart

teaches that such an implementation allows the portable devices to send and receive

information while at virtually any location although hard-wired links may not be

available without having to wait to reach an office or other place with appropriate

equipment (see col.1, lines 30-36 and 48-54).

As per claims 3 and 11, Boswell teaches of further comprising: the output

terminal information including data on an output terminal position to determine a

location where the output terminal is installed (see col.7, lines 11-13 and 42-46), the

search data including data on a desired providing area that indicates a desired providing

area, which is an approximate place where output data is desired to be provided (see

col.4, lines 29-39), and the selecting device retrieving data on an output terminal

position from the storage device on the basis of the data on a desired providing area

included in the search data to thereby to select an output terminal located in an area

specified by the data on a desired providing area (see col.4, line 50 to col.5, line 12).

As per claims 4 and 12, Boswell does not explicitly teaches of further

comprising: the selecting device not performing search based on the data on a portable

terminal position if the position specified by the data on a portable terminal position is

not included in the area specified by the data on a desired providing area included in

the search data. Stewart teaches of not performing search based on the data on a

portable terminal position if the position specified by the data on a portable terminal

position is not included in the area specified by the data on a desired providing area

included in the search data (see col.26, lines 52-57). It would have been obvious to a

person of ordinary skill in the art at the time the invention was made to employ the

teachings of Stewart within the system of Boswell by implementing not performing

search based on the data on a portable terminal position if the position specified by the

data on a portable terminal position is not included in the area specified by the data on

a desired providing area included in the search data within the data output controller

because such an implementation saves processing power since the data output

controller will not be able to service the request anyways.

As per claims 5 and 13, Boswell teaches of further comprising: the output

terminal information including printing (output) format data indicating a data format

that can be printed (output) by the output terminal among data formats of data

regarding the data print (output) request (see col.20, lines 48-67), the search data

including the printing (output) format data, and the selecting device retrieving printing

(output) format data from the storage device on the basis of the printing (output)

format data included in the search data, and selecting an output terminal associated

with the printing format data (see col.4, line 50 to col.5, line 12).

As per claims 6 and 14, Boswell teaches of further comprising: the output

terminal information including printing (output) specification data indicating the printing

(output) specification of the output terminal (see col.20, lines 48-67), the search data

including the printing (output) specification data, and the selecting device retrieving

printing (output) specification data from the storage device on the basis of printing

(output) specification data included in the search data, and selecting an output terminal

associated with the printing (output) specification data (see col.4, line 50 to col.5, line 12).

As per claims 7 and 15, Boswell teaches of further comprising: the output terminal information including output terminal identifying data that identifies the output terminals (see col.7, lines 11-13), the search data including the output terminal identifying data, and the selecting device retrieving output terminal identifying data from the storage device solely on the basis of output terminal identifying data included in the search data, and selecting an output terminal that coincides with the output terminal identifying data (see col.4, line 50 to col.5, line 12).

As per claims 8 and 16, Boswell teaches of further comprising: the output device outputting output terminal information corresponding to an output terminal selected by the selecting device to the portable terminal (see claim 1 and 9 rejection above).
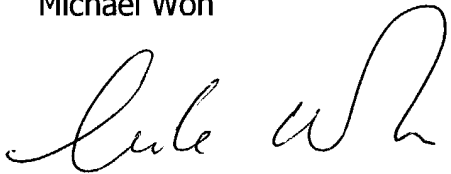
4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y Won whose telephone number is 703-605-4241. The examiner can normally be reached on M-Th: 6AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Michael Won

August 19, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER